



D-2875

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

In the application of:) Group Art Unit: 1653
Donovan) Examiner: C. Kam, Ph.D.
Serial No. 09/489,667)
Filed: January 19, 2000)
For: CLOSTRIDIAL TOXIN DERIVATIVES)
AND METHODS FOR TREATING PAIN)

P#14

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97(d)

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Applicant wishes to call to the attention of the Examiner the documents cited on the accompanying Form PTO-1449.

Pursuant to 37 CFR § 1.97(d)(1), Applicant states that no item of information contained herein was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned, no item of information contained herein was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. In that regard, the references cited herein were cited in an International Search Report mailed July 16, 2001 for PCT Application No. PCT/US00/12597 directed to methods for treating pain. PCT Application No. PCT/US00/12597 is not a

counterpart application of the instant application. In addition, the enclosed references do not disclose Clostridial neurotoxin-substance P conjugates, and in particular do not disclose botulinum toxin-substance P conjugates. The enclosed references were cited in the International Search Report as apparently being related to methods for treating pain, and the reference Benoliel et al. apparently discloses a diphtheria toxin-substance P fusion protein.

Pursuant to 37 CFR § 1.97(d)(2), a fee of \$180.00 is required. A check in the amount of \$180.00 is enclosed herewith.

No concession is made that these documents are prior art, and applicant expressly reserves the right to antedate the documents as may be appropriate. Applicant requests that each of these documents be made of record in the above-identified application.

Respectfully submitted,



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